United Nations A/63/727

General Assembly

Distr.: General
19 February 2009

Original: English

Sixty-third session
Agenda item 149
Financing of the United Nations Mission in the Central African Republic and Chad

Financing arrangements for the United Nations Mission in the Central African Republic and Chad for the period from 1 July 2008 to 30 June 2009

Note by the Secretary-General

1. By its resolution 62/233 B on the financing of the United Nations Mission in the Central African Republic and Chad (MINURCAT), the General Assembly appropriated for MINURCAT the total amount of $315,083,400 for the period from 1 July 2008 to 30 June 2009, inclusive of $301,124,200 for the maintenance of the Mission, $12,168,700 for the support account for peacekeeping operations and $1,790,500 for the United Nations Logistics Base at Brindisi, Italy.

2. Resources approved by the General Assembly for the Mission provided for the deployment of 50 military liaison officers, 300 United Nations police officers, 25 government-provided personnel (Corrections Officers), as well as for the civilian staffing establishment of 512 international staff, 117 United Nations Volunteers and 573 national staff.

3. By its resolution 1861 (2009), the Security Council, inter alia, extended the mandate of MINURCAT until 15 March 2010 and authorized the deployment of a military component of MINURCAT to follow up the European Union Force (EUFOR) in both Chad and the Central African Republic at the end of its mandate, decided that the transfer of authority between EUFOR and the military component of MINURCAT would take place on 15 March 2009 and also decided that MINURCAT should include a maximum of 300 police officers, 25 military liaison officers, 5,200 military personnel and an appropriate number of civilian personnel.

4. In the light of providing MINURCAT with the immediate cash and operational resources needed to support the expansion of the Mission, the present note contains a request for commitment authority with assessment for the period from 1 July 2008 to 30 June 2009 in the amount of $140,731,900, inclusive of the amount of $49,868,400 previously authorized by the Advisory Committee on Administrative and Budgetary Questions to meet the cost of initial critical logistical and personnel

09-24287 (E) 240209

requirements of MINURCAT in order to facilitate the transfer of authority from EUFOR to the United Nations. The commitment authority is requested pursuant to section IV, paragraph 2, of General Assembly resolution 49/233.

5. The estimated additional requirements of $140,731,900 take into account resources already provided by the General Assembly for the maintenance of MINURCAT, pursuant to its resolution 62/233 B, and provide, as detailed in paragraphs 8 to 10 below, for the initial deployment by 30 June 2009 of 4,250 military contingent personnel ($67,871,200), expansion of existing and construction of new facilities and infrastructure to accommodate military personnel, including acquisition of equipment necessary to equip military camps, rehabilitation and expansion of existing airfields ($60,002,100) and deployment of additional air assets ($12,858,600).

6. The staffing establishment of the MINURCAT Division of Mission Support approved for the 2008/09 period reflects its requirements for the support of the military liaison officers, United Nations police and substantive staff. In view of Security Council resolution 1861 (2009), in which the Council authorized the deployment of a military component of MINURCAT to follow up EUFOR, with the transfer of authority from EUFOR to the United Nations on 15 March 2009, the immediate augmentation of the Mission's logistical planning, engineering and technical staffing capacity is required in order to prepare for the deployment of the United Nations military force and support the significant engineering projects to be implemented in a short span of time.

7. The additional immediate staffing requirements of MINURCAT involve the establishment of temporary positions for a Force Commander (D-2) and a Deputy Force Commander (D-1) as well as the establishment in the field and at United Nations Headquarters of 69 general temporary assistance positions, comprising 42 temporary positions at the Professional level and 27 at the General Service level. The positions provide for the augmentation of the Mission's staffing capacity related to strategic transition planning, engineering, project management, contract management, hydrological assessments, aviation, movement control, procurement, finance and recruitment of civilian personnel. The related resource requirements will be accommodated from within the Mission's approved 2008/09 budget and reported to the General Assembly in the context of the MINURCAT financial performance report for the 2008/09 period.

8. The additional requirements of $67,871,200 under military contingents are attributable to the projected phased deployment by 30 June 2009 of 2,810 troops and to the transfer under MINURCAT authority on 15 March 2009 of 1,440 troops (8 infantry units) deployed to Chad as part of EUFOR, for a total initial deployment of 4,250 military contingent personnel. Provisions are made accordingly for the reimbursement of troop-contributing Governments for standard troop and equipment costs, deployment of military contingents and transportation of contingent-owned equipment, standard daily allowance payable to troops, mission subsistence allowance for staff officers, death and disability compensation and rations. Pending the conclusion of memorandums of understanding with the troop-contributing countries, the above provisions also include the estimated requirements for self-sustainment costs based on the memorandums of understanding under negotiation. A 30 per cent delayed deployment factor has been applied to the computation of the

estimated requirements with respect to the 2,810 military contingent personnel to be deployed to MINURCAT in addition to the troops to be transferred from EUFOR.

9. The additional requirements of $60,002,100 under facilities and infrastructure reflect provisions for the construction of two transit camps in Abéché and N'Djamena (one in each location), the construction of hardwall accommodation for troops at different locations, including force headquarters and accommodation facilities in Abéché, the extension and rehabilitation of existing runways to accommodate a larger capacity aircraft at the Abéché airport and upgrading of the airport to meet the safety requirements established by the International Civil Aviation Organization. The cost estimate also provides for the acquisition of generators of various capacities and related fuel requirements, water purification equipment, water and septic tanks, and fuel tanks to provide for the storage of fuel where no storage capacity exists.

10. The additional requirements of $12,858,600 for air transportation take into account MINURCAT air assets, comprising 6 helicopters and 6 fixed-wing aircraft, and provide for the deployment of 16 additional helicopters (5 commercially contracted medium cargo/passenger helicopters and 11 military-type helicopters contracted with troop-contributing countries), as well as one small and one medium fixed-wing aircraft to provide additional capacity for the movement of personnel and transportation of cargo in an expanded area of operation.

11. **The actions to be taken by the General Assembly in connection with the financing of MINURCAT are:**

(a) **Authorization for the Secretary-General to enter into commitments for the expansion of the Mission for the period from 1 July 2008 to 30 June 2009 in the amount of $140,731,900, inclusive of the amount of $49,868,400 previously authorized by the Advisory Committee on Administrative and Budgetary Questions to meet the cost of initial critical logistical and personnel requirements of MINURCAT, and in addition to the amount of $301,124,200 already appropriated for the maintenance of MINURCAT for the period from 1 July 2008 to 30 June 2009 under the terms of General Assembly resolution 62/233 B;**

(b) **Assessment of the amount of $140,731,900 for the period from 1 July 2008 to 30 June 2009, in addition to the amount of $301,124,200 already assessed for the maintenance of the Mission for the same period under the terms of General Assembly resolution 62/233 B.**

United Nations A/63/728

General Assembly

Distr.: General
20 February 2009

Original: English

Sixty-third session
Agenda item 139

Financing of the United Nations Mission in Ethiopia and Eritrea

Report of the Secretary-General

Contents

		Page
I.	Introduction	3
II.	Donation of assets to the Government of Ethiopia	3
III.	Donation of assets to the Government of Eritrea	4
IV.	Donation of assets to the African Union	5
V.	Actions to be taken by the General Assembly	6

09-24396 (E) 230209

Summary

The present report provides details on the proposed donation of the assets of the United Nations Mission in Ethiopia and Eritrea (UNMEE) to the Government of Ethiopia, the Government of Eritrea and the African Union. The inventory value of the Mission's assets proposed for donation to the Government of Ethiopia and the Government of Eritrea amounts to $7,480,600, representing 13.3 per cent of the total UNMEE assets inventory value of $56,218,700.

The proposed donation to the African Union of assets with inventory value of $6,911,400, representing 12.3 per cent of the total UNMEE assets inventory value, would enable the African Union to enhance the operational capabilities of the African Union Mission in Somalia.

In section V of the report it is recommended that the General Assembly approve the donation of UNMEE assets to the Governments of Ethiopia and Eritrea and the African Union.

I. Introduction

1. The mandate of the United Nations Mission in Ethiopia and Eritrea (UNMEE) was established by the Security Council in its resolutions 1312 (2000) and 1320 (2000). In its resolution 1798 (2008), the Council extended the mandate of UNMEE for a period of six months, until 31 July 2008. By its subsequent resolution 1827 (2008), the Council decided to terminate the mandate of the Mission effective on 31 July 2008. Accordingly, on 1 August 2008 the Mission commenced its administrative liquidation, including the process of the disposition of its assets.

2. In accordance with financial regulation 5.14 of the Financial Regulations and Rules of the United Nations, the Mission's asset disposal plan provides for the progressive transfer of assets, where feasible and economical, to other peacekeeping operations of the United Nations, to the United Nations Logistics Base at Brindisi, Italy for temporary storage or to other United Nations activities funded from assessed contributions, as well as for their disposition through sale to United Nations agencies, funds and programmes or commercial disposal, if circumstances so permit. Information on the actual disposition of all assets of the Mission, including those proposed for donation to the Government of Ethiopia, the Government of Eritrea and the African Union, will be provided in the context of the final disposition of assets report of UNMEE to be submitted for consideration by the General Assembly at its sixty-fourth session.

3. Regulation 5.14 (e) of the Financial Regulations and Rules of the United Nations stipulates that any assets which have been installed in a country and which, if dismantled, would set back the rehabilitation of that country shall be provided to the duly recognized Government of that country in return for compensation in a form to be agreed upon by the Organization and the Government. This refers in particular to airfield installations and equipment, buildings, bridges and mine-clearing equipment. Where such assets cannot be disposed of in this manner or otherwise, they will be contributed free of charge to the Government of the country concerned. Such contributions require the prior approval of the General Assembly.

4. The selection of assets proposed for donation has been guided by the provisions of regulation 5.14 and is based on a determination that the assets are not required, nor are they suitable for transfer to other missions or for temporary storage at the United Nations Logistics Base at Brindisi. Furthermore, the cost of dismantling, refurbishing, packing and shipping these assets would render their transfer largely uneconomical.

II. Donation of assets to the Government of Ethiopia

5. In the context of its administrative liquidation, UNMEE has identified for donation to the Government of Ethiopia, on a free-of-charge basis, assets with inventory value of $1,398,500 (corresponding residual value of $421,800), representing 2.5 per cent of the total inventory value of the Mission's assets amounting to $56,218,700.

6. The donation of those assets, comprising primarily prefabricated facilities and information technology equipment (computers and printers), would enhance the operational capabilities of the Government of Ethiopia.

7. A summary of assets proposed for donation to the Government of Ethiopia is shown in table 1 below.

Table 1
Summary of assets proposed for donation to the Government of Ethiopia
(Thousands of United States dollars)

Category	*Inventory value*	*Residual value as at 31 October 2008*
Prefabricated facilities	938.0	361.1
Miscellaneous facilities and infrastructure (construction equipment)	12.1	3.5
Electrical equipment	6.3	1.3
Generators	3.9	1.3
Water and septic tanks	6.4	1.5
Accommodation equipment	39.2	11.2
Office furniture	3.7	3.7
Security and safety equipment (metal detector, mine warning signs)	12.6	3.6
Information technology equipment	367.3	31.7
Medical supplies	9.0	2.9
Total	**1 398.5**	**421.8**

III. Donation of assets to the Government of Eritrea

8. In the context of its administrative liquidation, UNMEE has identified for donation to the Government of Eritrea, on a free-of-charge basis, assets with inventory value of $6,082,100 (corresponding residual value of $2,299,300), representing 10.8 per cent of the total inventory value of the Mission's assets amounting to $56,218,700.

9. The donation of those assets, comprising primarily prefabricated facilities, generators and accommodation equipment, would enhance the operational capabilities of the Government of Eritrea, especially for rehabilitation of the communities in the former temporary security zone.

10. A summary of assets proposed for donation to the Government of Eritrea is shown in table 2 below.

Table 2
Summary of assets proposed for donation to the Government of Eritrea
(Thousands of United States dollars)

Category	*Inventory value*	*Residual value as at 31 October 2008*
Prefabricated facilities	4 805.4	1 915.5
Miscellaneous facilities and infrastructure (construction equipment, workshop equipment, tools)	27.5	9.1
Electrical equipment	74.3	13.4
Generators	438.3	159.0
Water and septic tanks	26.3	9.8
Fuel tank and pumps	164.2	38.6
Accommodation equipment	331.7	94.7
Office equipment	13.2	3.7
Air operations equipment and supplies	25.9	6.1
Communication equipment	82.3	28.5
Information technology equipment	87.9	19.7
Medical supplies	5.1	1.2
Total	**6 082.1**	**2 299.3**

IV. Donation of assets to the African Union

11. In his letter to the President of the Security Council dated 19 December 2008 (S/2008/804), the Secretary-General proposed a number of options that could be undertaken immediately to support implementation of the Djibouti Peace Agreement and contribute to enabling the conditions required for the eventual deployment of a United Nations peacekeeping operation in Somalia. Those options contained proposals for the reinforcement of the African Union Mission in Somalia (AMISOM), including, inter alia, a proposal for the immediate in kind enhancement of AMISOM through the transfer of approximately $7 million worth of assets, subject to approval by the relevant legislative bodies, following the liquidation of UNMEE. As indicated in paragraph 7 of the annex to the letter, the transfer would include assets essential to the ability of AMISOM to support additional troops, including prefabricated accommodation, electricity generators, air-conditioning units, ablution units and soft-skin vehicles.

12. The Security Council, in its resolution 1863 (2009) of 16 January 2009, expressed, inter alia, its intent to establish a United Nations peacekeeping operation in Somalia as a follow-on force to AMISOM, subject to a further decision of the Council by 1 June 2009, and welcomed the recommendations contained in the Secretary-General's letter of 19 December 2008 on strengthening AMISOM, including his proposal for immediate in kind enhancement of AMISOM through the transfer of assets following the liquidation of UNMEE.

13. In this connection, in order to assist the African Union in supporting AMISOM, the approval of the General Assembly is sought for the donation to the African Union, on a free-of-charge basis, of UNMEE assets with inventory value of

$6,911,400 (corresponding residual value of $1,967,900), representing 12.3 per cent of the total inventory value of the Mission's assets amounting to $56,218,700.

14. The donation of these assets, comprising primarily prefabricated buildings, including ablution units and associated equipment, generators, air conditioners and soft-skin vehicles, would enable the African Union to enhance the operational capabilities of AMISOM.

15. A summary of assets proposed for donation to the African Union in support of AMISOM is shown in table 3 below.

Table 3
Summary of assets proposed for donation to the African Union for its mission in Somalia
(Thousands of United States dollars)

Category	*Inventory value*	*Residual value as at 31 October 2008*
Prefabricated facilities	2 071.6	821.1
Miscellaneous facilities and infrastructure	27.0	8.2
Electrical equipment	3.0	1.1
Refrigeration equipment	31.4	7.4
Generators	377.0	137.4
Fuel tank and pumps	123.3	48.4
Accommodation equipment	384.7	117.1
Office furniture	16.9	4.4
Office equipment	169.4	48.9
Security and safety equipment	30.8	10.5
Vehicles	3 584.8	736.4
Public information equipment	39.6	12.8
Medical equipment	51.9	14.2
Total	**6 911.4**	**1 967.9**

V. Actions to be taken by the General Assembly

16. **The actions to be taken by the General Assembly at its sixty-third session in connection with the financing of UNMEE are:**

(a) **To approve the donation of assets with an inventory value of $1,398,500 and corresponding residual value of $421,800 to the Government of Ethiopia on a free-of-charge basis;**

(b) **To approve the donation of assets with an inventory value of $6,082,100 and corresponding residual value of $2,299,300 to the Government of Eritrea on a free-of-charge basis;**

(c) **To approve the donation of assets with an inventory value of $6,911,400 and corresponding residual value of $1,967,900 to the African Union in support of AMISOM on a free-of-charge basis.**

United Nations A/63/729

General Assembly

Distr.: General
20 February 2009

Original: English

Sixty-third session
Agenda items 12, 31, 44, 107 and 114 (l)

Prevention of armed conflict

Comprehensive review of the whole question of peacekeeping operations in all their aspects

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Inter-Parliamentary Union

Summary report of the 2008 Parliamentary Hearing (United Nations Headquarters, 20 and 21 November 2008)

Note by the President of the General Assembly

The present document reflects the summary of the 2008 Parliamentary Hearing held in New York on 20 and 21 November 2008, which is circulated pursuant to General Assembly resolution 63/24 (see annex).

09-24607 (E) 260209

Annex

Towards Effective Peacekeeping and the Prevention of Conflict

Delivering on Our Commitments

Parliamentary Hearing at the United Nations
20 - 21 November 2008
United Nations, New York

Summary Report

The 2008 parliamentary hearing took place at United Nations headquarters in New York on 20 and 21 November and was attended by some 200 parliamentarians from over 60 countries.

Opening Remarks

H.E. Father Miguel D'Escoto Brockmann, President of the United Nations General Assembly, noted that the partnerships between the United Nations and parliamentarians have deepened around many issues. Parliamentarians provide enormous support to the United Nations, he said, through their central role of ensuring that international policies on peacekeeping, human rights, development and the environment are reflected in their national debate, thus ensuring that citizens understand the work of the United Nations and can better support it.

The world faces "a confluence of terrible crises requiring radical changes in the international political and financial architecture", he said. Those crises are man-made and mankind must therefore assume responsibility for solving them, he emphasized. Achieving the necessary changes will require courageous, even heroic, leadership at the national level. Parliamentarians, he pointed out, can provide crucial guidance and support to the United Nations to make sure that the Organization is able to meet the responsibilities that billions of people have entrusted to it.

He recalled that he had outlined a series of changes that would enable the United Nations, and the General Assembly in particular, to regain the authority that had been channelled to other organizations over the decades, as "anxious powers" had stripped the Assembly of much of its central role in international decision-making. His call for a series of high-level Dialogues on the Democratization of the United Nations reflected the original roles assigned to the institution in the Charter, and he invited parliamentarians to participate actively in those debates.

Another priority, he continued, is to secure the resources needed for development, especially for the campaign against the inexcusable poverty affecting half of the world's people. He appealed to parliamentarians to ensure that national leaders reaffirm their commitments at the forthcoming Follow-up International Conference on Financing for Development, to be held in Doha, Qatar, in November 2008, especially in light of the economic downturn and faltering progress towards the Millennium Development Goals (MDGs). He voiced support for the call for a World Summit on the Goals in 2010 to permit monitoring and adjustment of the specific national requirements to achieve them, noting that the continuing guidance of parliamentarians, as those primarily responsible for the implementation of the MDGs, will be central to that work.

His overriding priority as President of the current session of the General Assembly, he said, is to awaken people from their present moral coma. He called for a new spirit in the way people treat each other and how they treat the fragile planet. The world has divorced itself from the essential values of compassion and solidarity in the unbridled pursuit of dominance and wealth, he observed. However, today people are looking for leadership and vision. "They want leaders guided by a passion for fairness and inclusiveness. They want governance based on justice, transparency and accountability. They are looking for ways to meaningfully participate in the rescue of our planet and in ending extreme poverty".

> ***..... we must awaken people from the moral coma into which we have lapsed.***
>
> H.E. Father Miguel D'Escoto Brockmann

As a first step, he went on, the world has to confront head-on the unsustainable culture of over-consumption that is contributing to wild excesses and irresponsible speculation. Parliamentarians and leaders have to have the courage to tell citizens the truth about the sacrifices that lie ahead. These sacrifices should be shared, "not placed on the backs of the poor as is usually the case". There is much damage to repair, he added, including the corrosive damage to the sense of trust that must guide any relationship. He concluded by calling for national parliaments and the United Nations to work together to deserve that trust and restore it.

H.E. Ban Ki-moon, United Nations Secretary-General, observed that parliamentarians are the natural allies of the United Nations, which, like them, is answerable to the world's people. While preventing conflict is the cardinal mission set out by the founders of the Organization, the primary responsibility for achieving that goal lies with the Member States, he said. The main role of the United Nations is to assist national actors in resolving conflict at an early stage, and to help build national capacity to sustain peace. "Without political settlements, without lasting political solutions", he went on, "the world will continue to be left with humanitarian emergencies and peacekeeping without end".

That was the rationale behind the proposals that he had submitted to the General Assembly for strengthening the Organization's capacity for preventive diplomacy, and in particular its mediation and peacemaking responsibilities, he said, noting that collaboration among United Nations agencies working on conflict prevention programmes had already been improved and cooperation with regional organizations was being strengthened. "But we need to be able to do more", he said. Conflict prevention has been severely underfunded, and its capacities stretched thin, he continued. His proposals to the Assembly are intended to complement recent peacekeeping reforms and help the United Nations address problems before they become far more difficult to manage.

> ***..... we need to be able to do more. Conflict prevention has been severely under-funded, and our capacities stretched thin.***
>
> H.E. Ban Ki-moon

For peacekeeping to have a chance, he pointed out, there must be a peace to keep. The parties to the conflict must be committed to an inclusive political process, allowing them to disengage their forces. Peacekeepers must have a clear and achievable mandate, with the means to match that mandate. Further, peacekeepers must always avoid becoming part of the problem by acting with the utmost sensitivity towards the local population, and upholding the highest standards of professionalism and good conduct. The United Nations will continue to learn from experience, he said, and strengthen its ability to bring relief to countries and communities emerging from armed conflict. He was concerned, however, that "these basic conditions for successful peacekeeping are becoming harder and harder to achieve in some of the world's most prolonged conflicts". But even where such conditions are not met, the United Nations has an obligation to act. "Indifference is not an option", he stressed.

The parliamentary voice must be heard as the United Nations moved ahead, he concluded, expressing great appreciation for the work of the Inter-Parliamentary Union and its longstanding efforts to build an effective alliance among parliaments, governments and civil society.

Hon. Theo-Ben Gurirab, President of the Inter-Parliamentary Union, expressed appreciation to the United Nations Member States for having recently adopted by consensus a very substantive resolution on cooperation between the United Nations and the IPU (A/RES/63/24). The resolution, he said, drew inspiration from the Secretary-General's excellent report (A/63/228-S/2008/531)[1], in which he made very constructive recommendations for strengthening that cooperation, and set clear and ambitious targets for the next two years. The two bodies will be working more closely in all major fields, he added, including in relation to peace, development and democracy.

Having presided, as President of the General Assembly, over the drafting of the Millennium Declaration, he is, he said, committed to redoubling the efforts to achieve the Millennium Development Goals, particularly in relation to poverty reduction and gender equality. As parliaments must lead by example, women must be better represented in parliaments and in the IPU, he stressed.

[1] Both this document and resolution A/RES/63/24 are available on the website of the United Nations Official Document System: http://documents.un.org

"We live in exceptional times," he went on, with the world facing a series of crises – in climate, food, energy, finance and the economy. Following a debate in the IPU Assembly, he recalled, he had been asked as a matter of urgency to organize a global parliamentary conference. That conference will take place in the early part of 2009 and will examine the financial crisis and its ramifications, and identify avenues for greater parliamentary involvement to provide oversight, transparency and accountability both at the national and the international levels.

He welcomed the focus which the President of the General Assembly had placed on the need to democratize the United Nations. The IPU had paid considerable attention to that issue, he said, and the World Conference of Speakers of Parliament convened in 2005 had formulated several proposals on how parliaments could help bridge the democracy gap in international relations. He would be looking for follow-up on those proposals in the months ahead.

> ***..... I support the Secretary-General's idea of a new multilateralism and I very much hope that we can help advance this idea.***
>
> Dr. Theo-Ben Gurirab

Session I: Responsibility to Protect

Panellists: Professor Edward Luck, United Nations Secretary-General's Special Adviser on the Responsibility to Protect; H. E. Joseph Nsengimana, Permanent Representative of Rwanda to the United Nations; Ms. Nicola Reindorp, Director of Advocacy at the Global Centre for the Responsibility to Protect

In their examination of the relatively new doctrine of "the responsibility to protect", Professor Luck, who acted as moderator, presented the Secretary-General's ideas on the concept; Ambassador Nsengimana provided some thoughts on how it might have been used in his country, and Ms. Reindorp elaborated on the concept and also described the work of the Global Centre for the Responsibility to Protect. Their presentations are summarized below.

The responsibility to protect should not be seen as simply another name for humanitarian intervention: rather, the notion is based on the concept of sovereignty as responsibility, a concept that was developed in the 1990s and articulated in the Outcome document of the 2005 World Summit (A/RES/60/1),[2] paragraph 139 of which states, in part, *"The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means .... to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. ... We are prepared to take collective action, in a timely and decisive manner ..... should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity"*.

The doctrine comprises three pillars: State responsibility, State assistance and direct response of the international community to populations at risk. The first pillar shows that the doctrine is an affirmative approach to sovereignty: nation-States were formed as a way to provide protection to peoples, and the goal of "the responsibility to protect" is to help countries to succeed in that endeavour, not simply to react if they fail. It is thus different from humanitarian intervention, which offers a binary choice between military intervention and doing nothing. That is neither morally acceptable nor sound policy: the international community needs a whole repertoire of measures, both peaceful and coercive, to deal with such crimes or the potential for them. In support of the first pillar, parliaments should pass legislation to implement the human rights conventions and to put in place oversight bodies to hold governments accountable.

The second pillar calls on the international community to assist a State that is in danger of reaching a situation in which one or more of the four crimes can occur. Again, paragraph 139 of the Outcome document states: *"We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out"*. This too is an area where parliaments can be of great help. They need to oversee their governments' external assistance policies, to verify whether such assistance is likely to bind a country more firmly together or to divide it along ethnic and racial lines. Various forms of assistance are envisaged under this pillar, possibly also including military intervention at the request of the government concerned,

[2] Available on the website of the United Nations Official Document System: http://documents.un.org.

if it feels that it is in a situation in which one or other of the four crimes is occurring or might occur, as was the case, for example, in Sierra Leone or Macedonia.

The third pillar is that of response. Here there is a wide variety of ways in which countries might contribute, ranging from diplomatic censure, through targeted sanctions and embargoes, all the way to military action. But it should be stressed that the actions taken even under the third pillar need not necessarily be military. In the case of Kenya, for example, where the responsibility to protect was first applied in practice, immediate action launched by the United Nations and mediation by former Secretary-General Kofi Annan proved that timely action really can avert the slide into mass loss of life. When the Security Council or the General Assembly calls on States to act in support of this third pillar, it is the role of parliamentarians to see that their governments respond.

The responsibility to protect necessarily entails a change in the concept of sovereignty, particularly in the archaic view of it as the total authority of the State over its people, including the power of life and death. The sovereignty of the State remains, but has taken on a different sense, notably including the obligation to protect its citizens. All of its citizens, without distinction. But that is where problems can appear. In the concrete case of Rwanda, the colonial policy of dividing and ruling resulted in the marginalization of part of the population by the post-independence governments, a process that led to virtually legalized discrimination and even acceptance of the idea that one part of the population was the enemy of the State.

> ***..... The international community has to fulfil the solemn promise that world leaders made in 2005.***
>
> Ms. Nicola Reindorp

Applying the doctrine of the responsibility to protect to the situation of Rwanda clearly shows the roles of the three pillars. The fundamental obligation to protect Rwandans lay with the State of Rwanda: that was the first pillar. Had it become evident that Rwanda had the will, but not the means, to protect its citizens, then it would have become the responsibility of the international community to provide the means: the second pillar. But in the case of Rwanda, all too quickly the sphere of the third pillar was reached, when the international community would have had a duty to intervene. Which it did not do, however, until far too late.

Now, as a result of the horrors of the genocide in its country, the present Government of Rwanda is firmly committed to ensuring that never again will it be possible for a part of its population to be eliminated in such a horrific way. The first step is to cease labelling and categorizing people and to ensure that all are treated the same, as citizens of the nation. The second step is to educate people about the rights and shared humanity of their neighbours. A country's culture must become a culture of human rights.

There, parliamentarians have an important role to play. They must legislate to make protection a legal right in their countries. For that to succeed, people must understand, and governments must accept, that the responsibility to protect is not a reduction of their authority; it is a recognition of their obligation to their people.

The Global Centre for the Responsibility to Protect was established in February 2008 by a group of NGOs and governments as a resource to move the doctrine from principle to practice. It focuses on conducting and publishing research on what the responsibility to protect should mean in practice, and what measures might be used by governments to fulfil their obligations. The Centre also has an advocacy role, bringing together policy-makers, experts and activists to ensure that people truly are protected on the basis of the agreement reached at the World Summit.

Where the responsibility to protect is either poorly known or poorly understood, parliamentarians are key to correcting the situation. It is their role both to press governments to uphold the solemn promise made by their leaders in 2005 and to broaden the understanding of what was agreed. They can do this by holding debates, making statements to bring wider public awareness and showing their governments that they are aware of what the governments have committed to.

> ***... Nation-States were formed as a way to provide protection to peoples, and the goal of the "responsibility to protect" is to help countries to succeed in that endeavour, not simply to react if they fail.***
>
> Professor Ed Luck

Parliamentarians also have the responsibility to ensure that legislation is in place, including laws criminalizing the four abuses covered by the responsibility to protect. As part of their oversight function, they also need to examine whether their governments have capacity to offer others in order to help them meet their obligations, for example by training armies or police forces.

The Summit Outcome document calls for further consideration of the responsibility to protect by the General Assembly, which will happen in 2009. A small number of States, while expressing their willingness to support the first two pillars, are now objecting to the third pillar, that of response. However, the essence of the agreement in 2005 was to move beyond the quibbling of the previous decade about whether the United Nations should act in cases of mass atrocity crimes and instead stipulate clearly that it should. It is imperative that the debate be constructive, focused not on rehashing arguments about what has been agreed, but on what the responsibility to protect should mean in practice. Here, parliamentarians have a major responsibility to ensure that their governments do not retreat from the agreement, but instead concentrate on what they will do to fulfil their responsibility to protect their populations, what they will do to assist other States, and what they need from each other or the United Nations to do so.

In the discussion that followed the panellists' remarks, the participants observed that, fundamentally, the doctrine of the responsibility to protect builds upon existing commitments, including international humanitarian law, international human rights law and the statute of the International Criminal Court. It would be counterproductive to attempt to expand the doctrine beyond the four crimes that the world leaders had agreed should be cited in the World Summit Outcome document. Attempting to invoke the doctrine in a wider range of circumstances would lead to a generalized situation of intervention in the affairs of a State by others, which would be counter to the United Nations Charter.

Nor is the doctrine applicable if a government fails to meet its obligation to protect its people in the event of a natural disaster, as in the case of cyclone Nargis in Myanmar. In that specific case, there were other requirements under international humanitarian law that imposed the duty on the Government to care for its people, and there had been agreement to put pressure on the Government to do so.

Also, because of its close focus on the four crimes, the responsibility to protect is different from humanitarian intervention, which is a much broader concept. Whereas States might fear that humanitarian intervention could be misused to allow other States to meddle in their internal concerns, the language of the World Summit Outcome document makes it clear that the responsibility to protect can be invoked only if governments "manifestly fail" to protect their populations from the four crimes: in other words, only when the evidence of their failure is clearly to be seen.

The parliamentarians also pointed out that:

- In a situation where the responsibility to protect is going to be invoked, the international community should not adhere to too rigid a timetable. If it waits too long for confirmation that a country is not fulfilling its obligation to protect its citizens, and then waits even longer for confirmation that peaceful means of persuasion are proving inadequate, intervention will arrive too late to prevent catastrophe. It should be possible to move rapidly from one stage to the next, or even implement measures of differing types simultaneously.

- Parliaments should codify the agreement of 2005 by incorporating the doctrine into domestic law and by ensuring that national penal codes criminalize the four classes of abuse in question. They should also hold debates around the provisions and implications of the responsibility to protect, promote awareness and contribute to its implementation, press governments to stand by the agreements to which they subscribed in 2005, and ensure that measures, including coercive measures such as arms embargoes or trade sanctions, are fully implemented.

- Governments should be urged to set up functional networks for the collection and timely transmission to the United Nations of information providing early warning of situations that threaten to deteriorate into genocide, war crimes, ethnic cleansing or crimes against humanity.

- Governments should work to ensure that the United Nations plays its proper role, under both the Charter and the mandate implicit in the responsibility to protect, which means taking care not to regionalize issues excessively, while still making use of the capacities of regional organizations and civil society bodies; they should also support the proposed extension of the mandate of the United Nations Special Adviser on the Prevention of Genocide to also include war crimes, crimes against humanity and ethnic cleansing.

Session II: Sexual violence against women and children in conflict

Panellists: Senator Margaret Mensah-Williams, Vice-Chairperson of the National Council of Namibia; Ms. Inés Alberdi, Executive Director of the United Nations Development Fund for Women (UNIFEM); Mr. Stephen Lewis, Co-Director, AIDS-Free World

In their examination of the implications of this topic, Senator Mensah-Williams called on the participants in the meeting to visualize in real rather than abstract terms what sexual violence in conflict situations really means; Ms. Alberdi described the work of UNIFEM against the scourge; and Mr. Lewis, who also acted as moderator, examined the failure of the international community to address the horrors of sexual violence in conflict. The panellists' main points are summarized below.

Women subjected to sexual violence in conflict go through almost unimaginable horrors. Already terrified by the fighting, they are raped and brutalized in front of their children, their husbands, their neighbours – and then ostracized by their own communities if they become pregnant as a result. The ripple effects of such abuse are enormous. Sexual violence in conflict situations breaks down families and communities and impacts post-conflict economic development, often for decades. Among its more heinous effects is the trafficking of women and children. If such abused women flee to another country, they will find that their situation remains just as terrible: with the added stigma of being illegal immigrants, they are regarded as legitimate targets for yet more rape and abuse. Those are the cold realities of nations in conflict today. Statistics indicate that that 40 women are being raped every day in the Democratic Republic of the Congo; hundreds of thousands of women were raped in the 100 days of conflict in Rwanda; and between 20,000 and 50,000 in the war in Bosnia in the 1990s.

If such crimes happen, then the victims must have legal recourse, so that the trauma they have suffered is not compounded by the horror of having their own society and legal system turning its back on them. Putting laws in place against such crimes is a starting point, but only a starting point. Parliamentarians have to ensure that such laws are rigidly enforced and that sufficient resources have been allocated for that to happen.

Resolution 1820 (2008) of the Security Council calls for an end to the impunity of those responsible for sexual violence in armed conflict. It is intended as a strong signal that the international community will not tolerate the use of sexual violence against women as a weapon of war. However, the United Nations and its Member States have failed to live up to the call in resolution 1325, which dates back to the year 2000, that measures should be taken to protect women and children from sexual violence; that education and training should be provided to counter this scourge; and that women should have a greater role in peacekeeping operations and peace negotiations. If resolution 1325 has not been seriously implemented in eight years, what chance is there for the more recent resolution 1820?

> ***... the United Nations and its Member States have failed to live up to the call in resolution 1325 ... that measures should be taken to protect women and children from sexual violence; that education and training should be provided to counter this scourge; and that women should have a greater role in peacekeeping operations and peace negotiations.***
>
> Senator Margaret Mensah-Williams

The latter gives credence to the security threat to women in armed conflict and provides a clear mandate to international and domestic civil actors to counter that threat, but it will remain a dead letter unless parliamentarians ensure that it is truly implemented.

The resolution specifically addresses sexual violence in conflict situations, not sexual violence in general, which is a criminal justice problem to be addressed by each country's police and judicial systems. When sexual violence is widespread and used systematically against civilians for military or political gain, however, it is a matter for the Security Council. The

two categories converge when sexual violence does not stop after a conflict ends: when rape begins to be perpetrated by ordinary citizens and demobilized soldiers on a mass scale. Failure to stop it seriously undermines efforts to re-establish the rule of law. Emerging governance institutions, such as the police and judiciary, lack credibility when one group of citizens enjoys impunity for serious crimes against other groups. This too is a security issue, requiring a security response.

Protecting civilians calls for a targeted and gender-specific approach to security and post-conflict stabilization. UNIFEM and other United Nations agencies have jointly prepared an analytical inventory of tactics that peacekeeping personnel have employed to prevent widespread and systematic sexual violence and to proactively protect women and children. Scheduled for publication in early 2009, this inventory will provide a platform for assessing, improving and scaling up good practice.

Too many people shrug their shoulders and treat these terrible acts as an inevitable part of war, but it is precisely that myth of inevitability that stops people from acting. It has obscured the fact that rape is no longer an isolated and random by-product of conflict – it is organized, systematic and targeted against specific groups. Consequently, resolution 1820 urges all parties to armed conflict to "debunk the myths" surrounding sexual violence, including the myth of its inevitability. The fact that the resolution views sexual violence as a tactic of war, not an inevitable outcome or by-product of it, marks an important step forward because it places sexual violence on the same political footing as other crimes against humanity.

Different measures are called for depending on whether sexual violence is committed by combatants or perpetrated by peacekeepers. In the first case, parliamentarians from conflict and post-conflict countries can ensure that their governments address the issue in three key ways: by reforming national laws to recognize sexual violence as a crime; by ensuring that transitional justice processes treat sexual violence in war as a serious crime for which there can be no amnesty; and by providing judicial and health-care services for survivors. Post-conflict justice and security sector reform processes must remove perpetrators from the military and police, recruit women into those forces, and take measures to investigate sexual crimes.

In the second case, parliamentarians from countries outside the conflict area can help by ensuring that their military and police contingents sent on peacekeeping missions are appropriately trained, and include more women peacekeepers; by improving the quality of data, trend analysis and evidence on the extent and intent of conflict-related rape; and by supporting efforts to apprehend and prosecute perpetrators.

Above all, it is parliamentarians' responsibility to speak out, because it is silence, stigma and shame that has made sexual violence a tactic of war. Against this backdrop, the promise of resolution 1820 poses an urgent implementation challenge – a challenge that the international community, including its parliamentarians, can and must rise to.

The "moral coma" to which the President of the General Assembly referred is a legitimate characterization of the way in which the international community has watched from afar the post-election sexual violence in Zimbabwe, the astonishing levels of sexual violence and rape in the Democratic Republic of the Congo and the horrendous situation in Darfur. The morning's session on the responsibility to protect made it clear that the doctrine is specific to the four crimes in the Summit Outcome document, and in that context, it is significant that resolution 1820 states that "sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide".

The renewed (in December 2007) mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) – with 17,000 personnel the largest peacekeeping force in the world – for the first time contains specific clauses requiring the protection of civilians against sexual violence, but MONUC has proved almost entirely unable to do so. In order to protect women and girls against sexual violence, the force would need to be tripled in size. This inadequacy in turn brings discredit on MONUC, which is regarded as an unfriendly force by the women of the Democratic Republic of the Congo (DRC).

> ***There can be no security without women's security.***
>
> Inés Alberdi, Executive Director, UNIFEM

In the peace agreement signed in that country in January 2008, there was, incredibly enough, an amnesty provision sufficiently ambiguous to exonerate the rapists. And in the peace negotiations in January there was not a single woman at the table to represent the women who had been subject to sexual violence. Clearly, the United Nations and its Member States are falling far short of what was called for in Security Council resolution 1325.

Much of what the world knows about the sexual violence in the aftermath of the Zimbabwe election, and about the use of rape and degradation of women as a tactic in furtherance of men's lust for riches from mineral resources in the DRC, has been revealed by journalists, activists and small NGOs on the ground. It is truly important that the parliamentary voice also be heard. Parliamentarians are in a position to have an impact because they can amend legislation, toughen laws, insist that hearings be held, ask parliamentary questions and call for increased numbers of peacekeeping troops. Parliamentarians can set off a movement of outrage which galvanizes societies and makes people understand what is at stake when sexual violence in conflict is condoned.

The discussion that followed the presentations from the panel elicited the following considerations:

Some legislators described the measures that their countries were taking – often at the behest of their fellow parliamentarians – to ensure that any troops they contributed to peacekeeping operations both refrained from sexual crimes themselves and prevented combatants from committing them. Some also described the penalties that would face any of their troops who failed to live up to those responsibilities.

Other parliamentarians described their countries' experience of sexual violence committed on their own territory. In Uganda, for example, the rebels often kidnapped girls from boarding schools and raped and impregnated them, and the Government then had to help such girls start a new life. In Namibia, there were numerous cases of illegitimate children fathered by peacekeeping forces deployed to oversee its transition to independence. When Algeria faced the problem in the 1990s, with armed groups seeking to use rape in furtherance of their political aims, the Government tackled the aftermath in four ways: it kept confidential the numbers of women who were abused, limiting shame and stigma; it permitted abortion, which was normally illegal; it legitimized raped women's children, who under normal circumstances would have had no legal existence; and it developed a national strategy to combat sexual violence through awareness-raising and education.

The representative of the parliament of the Democratic Republic of the Congo pointed out that the draft law on amnesty for people involved in the conflict in Kivu has not yet been adopted, as it is first to be reviewed by the Senate. On the other hand, the Congolese Parliament has adopted a law on the protection of women and children, and strengthened sanctions against perpetrators of sexual crimes.

The parliamentarians also commented that:

- If perpetrators of sexual violence flee to another country, the destination country should prosecute them. The IPU should consider creating an ad hoc body that would monitor the implementation of the principles of the Rome Statute and provide for greater cooperation among States in responding to warrants issued by the International Criminal Court.

- There are specific challenges in organizing trials of personnel who have committed sexual violence. For women so traumatized, it might be too much to testify in open court. Provision should be made for hearings in camera. Special training in the issues and the terrible effects on women is also needed for prosecutors and judges.

- In order to ensure that the peacekeepers themselves do not commit sexual violence, pre-deployment training is vital. The trainers should include advisers who know the issues, who have listened to the voices of the victims and potential victims. At the same time, governments must also ensure the application of appropriate disciplinary measures whenever these are necessary.

- All military forces must receive clear orders banning sexual violence, and be made aware of the penalties for infraction. Punishment must be meted out not only to the direct perpetrators of such acts, but also to those in command positions who decide on the use of sexual violence as strategy or policy.

- One simple but essential requirement is that there must be sufficient peacekeepers to prevent combatants from committing acts of sexual violence. Approving adequate troop numbers is a responsibility for parliamentarians. In particular, there have to be more women in uniform. Because of their past experiences, women will often be afraid of men in uniform, but uniformed women, such as the all-female Indian Formed Police Unit in Liberia, will be able to express empathy with women victims and empower them to lay complaints against their aggressors.

- There is also a need for greater involvement of women in peacemaking, peacekeeping and peacebuilding processes. It is up to the United Nations to set standards in all conflict or post-conflict zones by encouraging greater involvement of women in its activities. Data gathered by UNIFEM to prepare for a recent debate in the Security Council indicates that despite the eight years elapsed since the adoption of resolution 1325, the proportion of women involved in peace negotiations is tiny, averaging around 5%.

- There should also be more parliamentary participation in the negotiations. Most peace negotiations, especially those undertaken by Special Representatives of the Secretary-General, deal with the executive branch, hardly ever with the parliament. The United Nations should invite parliamentarians to take part in peace negotiations; if not, parliamentarians themselves should press to be included.

- While the increase, however modest, in the force level of MONUC is welcome, there is a need for a clear mandate and for the forces to be effectively engaged: they need to be present and active on the ground. In particular, the United Nations should ensure that its forces truly contribute to putting an end to the war, rather than, in some cases, misusing their mission for their own ends.

- In Africa, the rate of HIV/AIDS is higher among soldiers and security personnel than in the general population, and a number of African countries are large contributors of peacekeeping forces. The United Nations should acknowledge that the victims of sexual violence in most instances will also be HIV/AIDS victims, and should create a special fund to assist them.

Session III – Integrating a human security approach into the work of the United Nations

Panellists: Mr. Jonathan Granoff, President, Global Security Institute; H.E. Shigeki Sumi, Ambassador, Permanent Mission of Japan to the United Nations; Senator Rosario Green Macías, Chair of the Foreign Affairs Committee, Senate of Mexico; Mr. Hansjoerg Strohmeyer, Chief of the Policy Development and Studies Branch, United Nations Office for the Coordination of Humanitarian Affairs (OCHA)

This session examined the concept of human security and considered how a human security approach might be applied to the work of the United Nations and what contribution legislators might bring to such an approach. Mr. Granoff, who served as moderator for the session, encouraged parliamentarians to embrace two recent initiatives aimed at enhancing human security: one proposed by the President of Costa Rica and the other by the Secretary-General of the United Nations. Ambassador Sumi focused on the legal and political dimensions of the concept of human security and on the distinctions and the links between national security and human security and between humanitarian aid and human security. Senator Green drew attention to the impact of the current financial and economic crisis on human security, especially in developing countries, and stressed the importance of parliamentary action to address unemployment and promote job creation. Mr. Strohmeyer highlighted some of the challenges to human security and emphasized the need for both global and local responses.

The main points of the panellists' presentations and the recommendations for action are summarized below.

In 1994 the United Nations Development Programme's *Human Development Report* defined the concept of human security in terms of economic, food, health, environmental, personal, community and political security. That definition contributed in large measure to the formulation in 2000 of the Millennium Development Goals, which

marked a conceptual revolution in many respects. As defined in the 2005 World Summit Outcome document and elsewhere, human security means freedom from want and freedom from fear, the two being equally important and necessary. Indeed, one cannot exist without the other. Human security is a people-centred approach to security: its focus is protecting individuals from threats to their safety and well-being. The concept of human security differs from that of humanitarian aid in that the aim of the latter is to help people in need, whereas the aim of promoting and protecting human security is to empower people to help themselves.

The concept of human security has two dimensions: legal and political. In the legal sphere, human security departs from the traditional understanding of national security and sovereignty, although the two ideas are related. The notion that State sovereignty is something inviolable, something which governments have a right and a responsibility to protect, is a relatively modern one, having originated in the seventeenth century with the Peace of Westphalia and the ideas of the English philosopher Thomas Hobbes. Sovereignty was the dominant principle in relations between States and formed the basis for international law until World War II. Since then, it has been increasingly recognized that human rights and the rights of individuals must be protected. The end of the Cold War and the growth in the number of fragile States brought about a further shift in thinking about sovereignty and national security. No longer could people say, "What's happening in your country has nothing to do with us". It has become apparent that issues such as population displacement and pandemic disease are international concerns which cannot be regulated under the Westphalian concept of sovereignty. Over the last 10 years, human security has become firmly established as one of the main paradigms through which international affairs are viewed. Nevertheless, the principle of national sovereignty remains firmly entrenched and there continues to be reluctance concerning how and to what extent human rights and human security criteria should be applied in international law. In particular, there is disagreement over whether countries have the right or the responsibility to intervene when a government is not protecting the human security of its people.

In the political domain, there is often a gap between political leaders and ordinary people with regard to what constitutes human security. Health and education are human security priorities for most people, for example, but they are often the first areas targeted when governments cut budgets. Political leaders tend to be more interested in traditional matters of national security, which generally means allocating more money for weapons and military spending.

> ***This is a serious crisis which shows that capitalism as we've seen it develop in recent years does not work, and that if we do not put human beings at the centre, we will be contributing to the neglect of our planet and to the extinction of mankind from the earth.***
>
> Senator Rosario Green

The current financial and economic crisis poses a formidable challenge to human security and to the achievement of the Millennium Development Goals, as does the ongoing food crisis. One of the gravest consequences of the economic downturn has been the rise in unemployment, which can create great social and political instability, undermining the restoration and maintenance of peace in societies emerging from conflict and giving rise to new conflicts. Unemployment can lead people to resort to crime as a means of meeting their basic needs, which in turn means that governments must devote more money to fighting crime and less to education, job creation and other social needs.

Poor countries will be hardest hit by the financial crisis, although they had no hand in creating it. The crisis, which originated because the world's biggest economies did not follow the rules that they impose on small and emerging economies, should not be used as an excuse for failing to honour the commitments made to the developing countries at the 2002 International Conference on Financing for Development held in Monterrey, Mexico.

Climate change, which the United Nations Secretary-General has called "the defining challenge of our era", is another huge threat to human security. Other, related challenges include:

- Water scarcity: Between 400 and 500 million people in the world live in areas of water scarcity at present, and the number is expected to rise to approximately 3 billion within the next 20 to 25 years.
- Land degradation: Currently, 16% of world's land is degraded in terms of its suitability for agricultural use.

- Rising energy costs: Although petroleum prices are now relatively low, the price decline has been consumption-driven, not structural, and the price of oil is expected to rise to around US$ 200 per barrel within the next 5 to 7 years.
- Hunger: Every day, approximately 1 billion people live in hunger or fear of hunger and 20,000 to 25,000 children die of hunger or malnutrition.
- Population growth: The world's population is expected to grow from 6.7 billion to 10 billion in the next 40 years, which will exacerbate other challenges to human security.

These figures underline the urgency of applying a human security paradigm, but how, concretely, can that be done? How can the concept of human security be translated into action, and how, specifically, can parliamentarians contribute to the achievement of freedom from fear and freedom from want for the world's people?

There is increasing recognition that single countries or small groups of countries, no matter how powerful, cannot address global challenges on their own, as was evidenced by the recent G20 summit on the international financial crisis, which brought together not only leaders of the world's richest countries, but also leaders of emerging-market countries such as Brazil, China, India and Mexico. While the G20 summit produced few concrete results, it did mark an important shift in global economic governance. The upcoming Doha conference to review the implementation of the Monterrey Consensus – which will include a parliamentary hearing organized by the IPU – will offer an opportunity to reaffirm the commitments of Monterrey and promote people-centred approaches to development.

Costa Rican President Oscar Arias has recently put forward such an approach: the "Costa Rica Consensus",[3] a development funding initiative that would create mechanisms to forgive debts and provide international financial resources for developing countries that increase spending on environmental protection, education, health care and housing, and reduce military spending.

> ***Excessive military spending exacts an infinite opportunity cost. Since the end of the Cold War, we in the world have invested in excess of 12 trillion dollars in military spending. Imagine what could have happened if that money had been spent more properly. Imagine the schools, the hospitals, the transportation systems that could have been built. If that spending had brought more security, it might have been justified, but we know that's not what brings security. It is addressing human needs that brings security.***
>
> *Jonathan Granoff, President, Global Security Institute*

Another recent initiative, this one proposed by United Nations Secretary-General Ban Ki-moon in an address at Harvard University, would contribute hugely to human security by reducing the threat of nuclear annihilation. In his five-point proposal, the Secretary-General (1) urged all parties to the Treaty on the Non-Proliferation of Nuclear Weapons, particularly the nuclear-weapon States, to fulfil their obligation under the Treaty to undertake negotiations on effective measures leading to nuclear disarmament by, inter alia, considering the negotiation of a nuclear-weapons convention; (2) encouraged the permanent members of the Security Council to assure non-nuclear-weapon States unambiguously that they will not be subject to the use or the threat of the use of nuclear weapons; (3) called for strengthening of the rule of law through new efforts to bring the Comprehensive Nuclear-Test-Ban Treaty into force and for negotiations on a fissile material treaty and strengthening of the International Atomic Energy Agency (IAEA) safeguards agreements; (4) invited the nuclear weapon States to improve their accountability and transparency with regard to the size of their arsenals, stocks of fissile material and specific disarmament achievements; and (5) suggested that the United Nations General Assembly consider convening a world summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction.

Parliamentarians can play a powerful role in advancing these and other human security initiatives because it is they who set policies, formulate and approve national budgets, ratify international treaties and make new laws, and it is they who can decide to put the social sector and human security concerns ahead of military spending. It is they who can decide to invest in people by investing in infrastructure, productivity and job creation. As elected representatives

[3] A concept paper (in English) on the Costa Rica Consensus is available on the website of the Permanent Mission of Costa Rica to the United Nations: http://www2.un.int/Countries/CostaRica/11794363007775.pdf.

of the people, parliamentarians can bridge the gap between the interests of government leaders and those of ordinary citizens. As policymakers, they can be important multipliers of action at the national, regional and global levels.

In the discussion that followed the panellists' remarks, it was pointed out that human security is a broad concept encompassing numerous aspects and that the challenges to human security cannot all be addressed at once. It is therefore necessary to prioritize and to take action quickly to resolve the most pressing problems. Employment and education were identified as top priorities. The importance of empowering individuals and communities was underscored, as was the need to promote bottom-up and community-based approaches to development. At the same time, it was acknowledged that in today's interconnected and interdependent world, global and regional partnerships are essential in order to address human security challenges. Several speakers emphasized the responsibility of the developed countries, which created the current financial and economic crisis, to help countries with developing and emerging economies to grapple with its effects and to meet the human security needs of their people.

It was pointed out that human security must be distinguished from the doctrine of the responsibility to protect, although the two concepts are related, since the failure of a government to provide human security for its people might bring into play the international community's responsibility to protect them instead. The linkage between the quality of governance and the level of security or insecurity in a country was highlighted, and the need to promote democracy, good governance, adherence to the rule of law and respect for human rights was stressed. It was also emphasized, however, that democracy must be environment-specific and must take account of the social, economic and political circumstances of each country. Countries should not be expected to conform to a "one size fits all" democratic model.

The following points were also raised by the parliamentarians:

- Parliamentarians should recognize that they have choices: choices about how money is spent and invested, for example, and choices about what policies their countries pursue. They also have a responsibility to act in the best interests of the people they represent, to safeguard their human rights and to put in place a legal framework that will guarantee them safe, healthy and secure environments in which to live.

- A crucial role of parliaments is the approval of national budgets. Parliamentarians have the power to ensure that resources are allocated equitably and in a way that protects human security.

- Another key role of parliaments is oversight of the executive branch. Parliamentarians should use their political leverage to ensure that governments respect human rights and the rule of law and that government policies respond to the needs of citizens. The IPU should help build the institutional capacity of parliaments and the professional capacity of individual parliamentarians to carry out this role.

- Parliamentarians should promote policies designed to provide education and decent employment for the greatest possible number of people, recognizing that education and employment are the means of empowering people and enabling them to secure their livelihood. With a view to fostering a culture of human rights in their countries, parliamentarians should consider enacting legislation requiring that all secondary education institutions include in their core curriculum courses on the Universal Declaration of Human Rights.

- Parliamentarians should help to promote political awareness of the need to anticipate natural disasters and build national capacity to respond to future catastrophes. Regional and subregional organizations can be important facilitators for such capacity-building.

- Parliamentarians have an obligation to take an active interest in international events such as the recent G20 summit and the forthcoming Doha Review Conference and to translate the proposals and outcomes of such gatherings into policies and actions at the national level, seeking to ensure that social issues are foremost in any action taken.

- They should also strive to ensure that the Monterrey Consensus is adhered to more widely and that the current financial and economic crisis does not become a pretext for failing to respect development financing commitments.

- Parliamentarians should support the United Nations as an impartial facilitator in an increasingly global dialogue on future threats to human security. The United Nations, in turn, should look at ways of enhancing its modalities of engagement, shifting from an approach of "putting out fires" to one of early warning and intervention aimed at preventing threats from developing into crisis situations.

- Recognizing that the nature of armed conflict has changed and that wars are increasingly being fought between States and non-State actors, parliamentarians should endeavour to persuade their governments to take steps to revise the rules of war in order to cover such situations, seeking to prevent human rights abuses but also to ensure that troops on the ground are able to do what they need to do to restore peace and protect civilian populations.

- Acknowledging that the vast majority of people want to live in a world free from the threat of nuclear annihilation, parliamentarians should encourage their governments to support the Secretary-General's nuclear disarmament proposal, including the convening of a world summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction.

Session IV – Major challenges facing United Nations peacekeeping operations today

Panellists: Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations; Hon. Mahdi Ibrahim Mohamed, National Assembly of Sudan; H.E. Ismat Jahan, Permanent Representative of Bangladesh to the United Nations; Dr. Sarjoh Bah, Global Peace Operations Program, Centre on International Cooperation, New York University

The fourth session looked at the major challenges facing United Nations peacekeeping operations in the world today and examined the elements needed in order for such operations to be successful. Mr. Mulet outlined some of the political and operational challenges from his vantage point as both a United Nations official involved in peacekeeping and a former parliamentarian in his native country (Guatemala). Mr. Mohamed provided the perspective of a parliamentarian from a country that has been a participant in past peacekeeping operations and is currently the recipient of a peacekeeping mission. Ambassador Jahan, whose country is a major supplier of peacekeeping troops, identified some key peacekeeping challenges based on the conclusions and recommendations of a high-level panel on United Nations peace operations, and Dr. Bah highlighted five strategic issues confronting the United Nations and other organizations involved in peacekeeping, emphasizing the role of parliamentarians in addressing those issues. The main points of the panellists' remarks are summarized below.

United Nations peacekeeping operations have become increasingly complex. Whereas the role of peacekeepers used to be confined mainly to monitoring ceasefires and observing the situation on the ground, they now have much broader mandates and are expected to carry out activities such as restoring the rule of law, rebuilding State institutions, organizing elections and training police forces. This complexity creates numerous political and operational challenges. The political challenges include achieving collaboration with all parties in the host country, strengthening national ownership of peace processes, ensuring coordination and coherence among all partners on the ground and managing the expectations of local populations vis-à-vis the peacekeeping mission's ability to resolve all problems. The operational challenges include ensuring adequate levels of troops and equipment, providing and maintaining the necessary infrastructure for troops on the ground, recruiting and retaining qualified civilian staff and ensuring their security and organizing collaboration with other multilateral actors.

Peacekeeping operations also face a number of strategic challenges. One is the danger of blurring the line between peacekeeping and peace enforcement and between peace enforcement and war. Another strategic challenge is the intersection between peace and politics. At both the national and the international levels, political developments can complicate peace processes. A third strategic issue is the challenge of gaining the support of all stakeholders, including non-State actors, for the work of the peacekeeping mission. The trend towards broadening the mandates of peacekeeping operations poses yet another strategic challenge.

How can "success" be defined for a peacekeeping operation? Generally, success means that the peacekeeping mission can withdraw without risk to the stability of the country because national partners have effectively taken over the maintenance of security and the provision of services to citizens, and the peace process is firmly entrenched

in society. The 2000 report of the Panel on United Nations Peace Operations (United Nations document A/55/305 - S/2000/809), known as the "Brahimi report",[4] identified a number of factors crucial to the success of peacekeeping operations, notably "renewed commitment on the part of Member States, significant institutional change and increased financial support", without which the United Nations will not be capable of executing the peacekeeping and peacebuilding tasks that Member States assign to it.

Other factors key to the success of peacekeeping operations include unity of action, an integrated mission approach, an effective human resources management regime, a sound exit strategy and linking of peacemaking, peacekeeping and peacebuilding in a systematic and well-coordinated manner.

Maintaining unity of purpose and action in the international community is essential to the success of peacekeeping, which must be an expression of common conviction and vision on the part of all involved, including Member States – especially the host country and the troop- and police-contributing countries – and the United Nations Security Council, General Assembly and Secretariat. In particular, closer coordination is needed between those who plan, mandate and manage peacekeeping operations and troop- and police-contributing countries.

An integrated mission approach is necessary in order to build environments conducive to self-sustaining peace. All the various agencies, funds and programmes of the United Nations, international financial institutions, donors and non-governmental organizations must work in a harmonized and complementary manner. Human resources management is also critical, as peacekeeping missions fulfil an increasing number of tasks with the broad multidimensional mandates of today.

The absence of a credible international mechanism for maintaining a ready supply of civilian personnel to [peacekeeping] operations is a major gap that requires immediate attention by the international community, including national legislative assemblies like the ones you represent.

Dr. Sarjoh Bah

The importance of a sound exit strategy cannot be overemphasized. Planning for the end of a peacekeeping mission must start before the mission begins. Such planning should seek to minimize the risks of failure and maximize the chances for success by ensuring that the mission has a clear and achievable mandate and coherent support from Member States and from the host government and other stakeholders in the country. It is essential to understand that UN peacekeeping is only a part of a larger process of building a sustainable and lasting peace in a post-conflict situation. The gains achieved through peacekeeping must be consolidated through peacebuilding, humanitarian activities and development support, which require ongoing support from the international community.

Even after the guns have fallen silent, much work remains in sustaining peace.

Ambassador Ismat Jahan, Permanent Representative of Bangladesh to the United Nations

Parliamentarians are crucial partners in the peacekeeping work of the United Nations because it is they who approve the deployment of troops or police for peacekeeping missions and it is they who, through the approval of national budgets, make available the necessary funds for peace operations. Through their countries' representatives to the United Nations, parliamentarians are also closely involved in shaping the Organization's peacekeeping policies. In countries emerging from conflict, parliaments play a key role in the peace process through the passage of electoral laws and other legislation and should systematically be invited to work hand in hand with the United Nations in accomplishing the transition from war to peace and stability.

[4] So named because the panel was chaired by Mr. Lakhdar Brahimi (Algeria). Available in all official United Nations languages (Arabic, Chinese, English, French, Russian, and Spanish) on this website: http://www.un.org/peace/reports/peace_operations. Also available in German from the United Nations Official Document System website: http://documents.un.org.

In the ensuing discussion, several parliamentarians emphasized that peacekeeping operations must be carried out in conformity with the provisions of the Charter of the United Nations and with respect for the principles of neutrality, impartiality and non-interference in internal affairs. The need for clear, realistic and achievable mandates and a sound exit strategy was underscored, as was the need for adequate financial resources, infrastructure and equipment to enable peacekeeping missions to carry out their mandates.

Members of parliament of various troop-contributing countries stressed that governments that supply troops for United Nations peacekeeping operations should be involved in all aspects and stages of planning for those operations and that their experience and views should be reflected in the mandates of peacekeeping missions. It was pointed out that such involvement would help motivate countries to provide troops. Concern was expressed about the imbalance created by the fact that the majority of peacekeeping troops come from developing countries, whereas the majority of financing for peacekeeping operations comes from developed countries. The need to increase participation by the latter group of countries in the supply of troops was emphasized. The underrepresentation of women among uniformed personnel in peacekeeping missions was lamented.

Several parliamentarians felt that serious consideration should be given to establishing a standing army of the United Nations as a means both of ensuring that sufficient numbers of troops could be rapidly deployed whenever and wherever needed and of enforcing Security Council resolutions. It was pointed out, however, that in order to form a standing army, Member States would have to be willing to supply the necessary human and financial resources – something that was considered unlikely at the current juncture. As an alternative, it was suggested that Member States might be asked to consider establishing peacekeeping reserves which could be rapidly called up in order to reduce delays in assembling and deploying peacekeeping forces.

The following additional points were made by parliamentarians during this session:

- In the face of the growing complexity of United Nations peacekeeping operations, peacekeeping troops need both better training prior to deployment and ongoing training once they are on the ground. Professional training programmes for peacekeepers should be established, making full use of the expertise of major troop-contributing countries. Such training should include instruction in the language, culture, traditions and values of the destination country.

- It is essential that peacekeepers gain the trust of the local population. To that end, the United Nations should be mindful of "perception management". It must lead by example and show that it is part of the solution, not part of the problem. The policy of zero tolerance for sexual exploitation and abuse by peacekeeping personnel must be strictly enforced and swift punitive action must be taken in response to all cases of misconduct.

- Peacekeeping should be viewed as one component of a comprehensive approach to building a sustainable peace and promoting development in countries emerging from conflict. It should be borne in mind, however, that the peace process does not always proceed sequentially from peacemaking to peace enforcement to peacekeeping to peacebuilding. Creative and flexible approaches to peacekeeping and post-conflict reconstruction are therefore needed.

- The root causes of conflict must be resolved in order to prevent peace from relapsing into conflict. It is also critical to effectively demobilize ex-combatants and facilitate their reintegration into society. Parliaments have an important role to play in addressing both those needs.

- Parliaments are also called upon to play a very serious role in developing national legislation regulating conditions for the presence of foreign troops in a country, as well as for the deployment of domestic troops abroad.

- Cooperation on peacekeeping with regional and subregional organizations should take place in accordance with Chapter VIII of the Charter of the United Nations. While such cooperation may be a pragmatic means of getting peacekeeping troops on the ground quickly, it should not be allowed to dilute the pre-eminent role or the authority of the United Nations with regard to the maintenance of international peace and security.

- It must be recognized that United Nations peacekeeping is for the common good. It is a shared responsibility that requires the political support and commitment of all Member States. Those with greater resources and capacity have greater responsibility, which they must shoulder.

The hearing concluded with Ms. N.C. Madlala-Routledge, Deputy Speaker of the Parliament of South Africa presenting a draft summary of the outcome of the proceedings. She was followed by the President of the IPU who observed that the liveliness of the debates attested to the importance of the issues discussed and the keen interest of parliamentarians in them. Mr. Anders B. Johnsson, Secretary General of the IPU, noted that, pursuant to General Assembly resolution 63/24, the report of the hearing would be issued as an official document of the United Nations and expressed the hope that it would serve as a source of inspiration for action by national parliaments and by Member States within the General Assembly.

United Nations A/63/730–S/2009/103

General Assembly
Security Council

Distr.: General
20 February 2009

Original: English

General Assembly
Sixty-third session
Agenda items 13 and 18

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Sixty-fourth year

Letter dated 17 February 2009 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

On 14 March 2008, the United Nations General Assembly adopted at its sixty-second session resolution 62/243, entitled "The situation in the occupied territories of Azerbaijan".

By paragraph 8 of the resolution, the General Assembly requested the Secretary-General to submit to the General Assembly at its sixty-third session a comprehensive report on the implementation of the resolution.

In view of this provision, Member States were requested to provide relevant information on the matter. Azerbaijan responded to this request by submitting the relevant documents covering a wide range of issues pertaining to the conflict between Armenia and Azerbaijan. This written contribution by Azerbaijan included among others the document entitled "Support by States Members of the United Nations and international organizations to Azerbaijan's position on the conflict in and around the Nagorny Karabakh region of Azerbaijan" (see annex).

Insofar as the existing page limit requirement prevents the content of this document from being reflected in the report of the Secretary-General, I should be grateful if you would have the present letter and the aforementioned document circulated as a document of the General Assembly, under agenda items 13 ("Protracted conflicts in the GUAM area and their implications for international peace, security and development") and 18 ("The situation in the occupied territories of Azerbaijan") of its sixty-third session, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

09-24601 (E) 250209

BEST COPY AVAILABLE

Annex to the letter dated 17 February 2009 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Support by States Member of the United Nations and international organizations to Azerbaijan's position on the conflict in and around the Nagorny Karabakh region of Azerbaijan

The statements and documents are given in a chronological order corresponding to occupation of the territories of Azerbaijan starting with the accession of the Republic of Azerbaijan to the United Nations and consideration of the conflict by the Security Council in the first quarter of 1992.

The **Organization of the Islamic Conference** has been consistently taking the principled position regarding the illegal use of force against the sovereignty and territorial integrity of Azerbaijan and occupation of its territories. Since the evolution of the issue, the OIC has explicitly determined the actions of Armenia on the territory of Azerbaijan as the **aggression by the former against the sovereignty and territorial integrity of Azerbaijan** and included this issue as the permanent item on its agenda. Vast number of the OIC decisions and resolutions on the conflict between Armenia and Azerbaijan and individual support of Member States of this Organization have been instrumental in addressing occupation of the territories of Azerbaijan by the international community and in particular by the United Nations General Assembly and the Security Council.

On 12 May 1992, in response to the occupation of **Shushu** on 9 May 1992 – the last Azerbaijani populated district in the Nagorny Karabakh region of Azerbaijan – the **Security Council** adopted its first **Presidential Statement** on the conflict. The Council welcomed the dispatch by the United Nations Secretary-General of the fact-finding mission and referred to the United Nations Charter principles pertaining to the peaceful settlement of disputes and the non-use of force. Subsequent occupation of the **Lachin** region of Azerbaijan on 14 May 1992, adjacent to Nagorny Karabakh and bordering Armenia, prompted a series of reaction.[1]

The **United States** Department of State declared on 21 May 1992 that the United States "will not accept unilateral changes in the status of Nagorny-Karabakh, Nakhichevan, or any other territory by military actions or violence".[2]

In its **Statement** of 23 May 1992 the Ministry of Foreign Affairs of the **Russian Federation** made it clear that "No current circumstances can permit the State to resort to the annexation of foreign territory. No one can count on the support of Russia for such unlawful actions".[3]

In its **Statement** of 22 May 1992 the **European Community** declared that "the Community and its Member States condemn in particular ... any actions against territorial integrity or designed to achieve political goals by force, including the driving out of civilian population".[4]

---

[1] S/23904.
[2] S/24053.
[3] *Ibid.*
[4] A/47/227.

The **North Atlantic Council** stated on 22 May 1992 that "Any action against Azerbaijan' or any other State's territorial integrity or to achieve political goals by force would represent a flagrant and unacceptable violation of the principles of international law and CSCE". The Council called for taking "immediate steps to de-escalate the conflict, including withdrawal from occupied areas".[5]

In the **Statement** by the **President of the United Nations Security Council** of 6 April 1993 the Security Council "expresse[d] its serious concern at the deterioration of relations between the Republic of Armenia and the Republic of Azerbaijan, and at the escalation of hostile acts in the Nagorny-Karabakh conflict, especially the invasion of the Kelbadjar district of the Republic of Azerbaijan by local Armenian forces". The Council "demand[ed] the immediate cessation of all such hostilities, which endanger peace and security of the region, and the withdrawal of these forces". "In this context, the Security Council, reaffirming the sovereignty and territorial integrity of all States of the region and the inviolability of their borders, expresse[d] its support for the CSCE peace process" and "request[ed] the Secretary-General, in consultation with the CSCE, to ascertain facts, as appropriate, and to submit urgently a report to the Council containing an assessment of the situation on the ground".[6]

The **United Nations Secretary-General's Report** submitted to the Security Council, in particular its paragraph 10, determined that "The intensification of fighting in and around Nagorny-Karabakh, especially the recent attacks against the Kelbadjar and Fizuli districts of Azerbaijan, poses a serious threat to the maintenance of international peace and security in the entire Transcaucasus region..". According to the Report, "It is clear ... that there has been a major outbreak of fighting in various locations in Azerbaijan, outside the enclave of Nagorny-Karabakh. Reports of the use of heavy weaponry, such as T-72 tanks, Mi-24 helicopter gunships and advanced fixed wing aircraft are particularly disturbing and would seem to indicate the *involvement of more than local ethnic [Armenian] force*" (emphasis added).[7]

The **United Nations Security Council resolution 822 (1993)** adopted in response to the occupation of **Kelbadjar region** of Azerbaijan, reaffirmed the respect for sovereignty and territorial integrity of all states in the region, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory. The Council demanded the immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan. It also reaffirmed that all parties are bound to comply with principles and rules of international humanitarian law.

At the second summit of the **Economic Cooperation Organization**, held in Istanbul on 6-7 July 1993, the Heads of States or Governments of Afghanistan, Azerbaijan, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan, and Uzbekistan adopted the **Statement** in which they condemned the continuation of the Armenian aggression against Azerbaijani territories and the escalation and widening of hostilities towards Agdam, Fizuli, Jabrail, Gubatli and Agdere regions of Azerbaijan. Reaffirming the principle of

[5] S/24053.
[6] S/25539.
[7] S/25600.

inadmissibility of acquisition of territory by force and non-use of force for gaining political advantages, the participating states called upon the international community to use its influence over Armenia for putting an end to this aggression.[8]

The **CSCE Chairman of the Minsk Conference** in its **Report** submitted for consideration by the United Nations Security Council in response to the occupation on 23 July 1993 of the **Agdam region** clearly indicated that Agdam posed no serious military threat to Nagorny Karabakh. The CSCE Chairman, on behalf of the nine members of the CSCE Minsk Group, condemned the seizure of Agdam, as an act that cannot be justified on self-defense grounds and that contradicts the commitment to a peaceful settlement of the conflict. He further spelled out that those who encourage the Armenian community of the Nagorny Karabakh [region of Azerbaijan] to continue the fighting and the encroachment on the surrounding territories share responsibility for the continuing loss of Armenian lives and destruction of the Armenian economy.[9]

In its **resolution 853 (1993)** the **United Nations Security Council** reaffirmed the sovereignty and territorial integrity of Azerbaijan and demanded the immediate, unconditional and complete withdrawal of all occupying forces involved from the Agdam region and all other recently occupied areas of Azerbaijan. The Council urged States to refrain from the supply of any munitions and weapons which might lead to an intensification of the conflict or the continued occupation of the territory.

The 17 August 1993 **Statement** by the Ministry of Foreign Affairs of **Turkey** expressed its deep concern over the continued occupation of the territories of Azerbaijan in defiance of the Security Council resolutions and CSCE peace process. It underlined that if there is a desire for peace, stability and cooperation in the region, then the use of force should be avoided and the immediate, complete and unconditional withdrawal of Armenian forces from all occupied Azerbaijani territories should be secured.[10]

In the **Presidential Statement** of 18 August 1993 the **United Nations Security Council** condemned the attacks on the **Fizuli region** from the Nagorny Karabakh region of Azerbaijan. The Council demanded the immediate, complete and unconditional withdrawal of occupying forces from the area of Fizuli, and from the Kelbadjar and Agdam regions and other recently occupied areas of Azerbaijan. The Council strongly reaffirmed its calls for States to refrain from supplying any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of the territory of Azerbaijan. The Council called upon the **Government of Armenia** to ensure that the forces involved are not provided with the means to extend their military campaign still further.[11]

On 29 August 1993, the Minister for Foreign Affairs of the **Islamic Republic of Iran** addressed the **letter** to the United Nations Secretary-General informing him on the new and critical stage in the escalation of the conflict caused by the ongoing offensives by the

[8] S/26067.
[9] S/26184.
[10] S/26324.
[11] S/26326.

Armenian forces against the territory of the Republic of Azerbaijan. In the light of Iran's experience in mediation in the area and in view of its knowledge of the complex issues involved, the Minister believed that in order to curb the spread of the war and achieve a just solution it was essential that the United Nations took immediate and effective measures to implement Security Council resolutions 822 (1993) and 853 (1993) and decisively compel the aggressive forces to accept a cease-fire and to withdraw to the internationally recognized borders.[12]

The **Statement** by the **European Community and its Member States** of 6 September 1993 condemned the recent offensives by local Armenian forces in Nagorny Karabakh resulting in deeper and deeper incursions into Azerbaijani territories. They noted with regret that such actions were extending the area of armed conflict to encompass more and more of the Azerbaijani territory and were creating a very serious refugee problem in Azerbaijan and one already involving neighboring countries, with a concomitant threat to regional security. The Community and its Member States reaffirmed their support for the territorial integrity and sovereignty of the States in the region. The Community and its Member States called upon Armenia to ensure that the local Armenian forces carrying out offensives in Azerbaijan territory were not given the material means of further extending such offensives.[13]

Statement of 7 September 1993 by the Official Spokesman of the Ministry of External Affairs of the Government of **India** on the conflict between Armenia and Azerbaijan over Nagorny Karabakh pointed out that the Government of India followed with great concern the escalation of hostilities in and around Nagorny Karabakh with the considerable ingress of Armenian forces into Azerbaijan. The Government of India appealed to the parties concerned urgently to take the remedial steps required to respect international borders, to restore peace and to resolve mutual differences through early peaceful negotiations.[14]

In its **resolution 874 (1993)** of 14 October 1993 the **United Nations Security Council** reaffirmed the sovereignty and territorial integrity of Azerbaijan, the inviolability of its international borders, the inadmissibility of the use of force for the acquisition of territory and that the Nagorny Karabakh region is inalienable part of Azerbaijan. The Council expressed its grave concern at the human suffering the conflict has caused and at the serious humanitarian emergency and the displacement of large numbers of civilians in Azerbaijan. The Council, *inter alia*, called for withdrawal of occupying forces from the occupied territories of Azerbaijan and requested the Secretary-General and relevant international organizations to assist refugees and displaced persons to return to their homes in security and dignity.

The Permanent Representative of **Turkey** to the United Nations in his **letter** of 27 October 1993 addressed to the President of the United Nations Security Council stated that "at a time when H.E. Margaretha af Ugglas, Chairperson of the CSCE, was paying the visit to the region in order to promote a dialogue between the interested parties, the Armenian forces initiated a new and large-scale attack on the Zangelan region of Azerbaijan and the town of

[12] S/26387.
[13] S/26417.
[14] S/26421.

Horadis. As a result of this new Armenian aggression, the city of Zangelan remained besieged by the Armenian forces and the alarming reports indicate that the inhabitants of Zagelan, in addition to tens of thousands of Azerbaijanis who had been encircled near the Iranian border, are desperately striving to evacuate the city in order to reach safer areas. It had become clear that, despite serious warnings of the Security Council and all the efforts of the CSCE Minsk Group, Armenia persisted to control close to 20% of the Azerbaijani territories it had occupied and was determined to continue its aggressive policy against Azerbaijan".[15]

The Spokesman of the Ministry of Foreign Affairs of **Turkey** in the **Statement** of 27 October 1993 in connection with the attacks on the city of Horadiz and Zangelan region of Azerbaijan emphasized that "not only the countries of the region, but the international community as well must, without further delay, react against the ongoing Armenian aggression, which is being carried out in blatant violation of the relevant Security Council resolutions and CSCE principles. In an attempt to halt Armenian aggression, as a first step, the logistical supply enabling the continuation of the Armenian attacks must be cut off and other necessary enforcement measures, including sanctions, should be adopted by the international community at once".[16]

The Deputy Permanent Representative of the Islamic Republic of **Iran** to the United Nations in his **letter** dated 28 October 1993 addressed to the President of the United Nations Security Council expressed its "extreme concern about the fresh Armenian military offensives and continued occupation of the territories of Azerbaijan. Local Armenian forces, supported by forces of the Republic of Armenia, are grabbing more lands as they push deeper inside the territory of Azerbaijan. The recent military operations have already resulted in significant casualties and so far, 30.000 citizens of Azerbaijan, fleeing their homes, have entered the territory of the Islamic Republic of Iran seeking safe refugee. The Islamic Republic of Iran reaffirms full support for the sovereignty and territorial integrity of Azerbaijan and underlines the importance of respect for the cease-fire and the immediate withdrawal of all Armenian forces from the entire occupied territory of the Republic of Azerbaijan".[17]

The European Union in its **Statement** dated 9 November 1993 concerning Nagorny Karabakh condemned the breach of cease-fire agreement reached on 24 October 1993 in the region of Nagorny Karabakh and called upon all forces to withdraw from recently occupied territories. The EU reiterated the importance it attached to the territorial integrity and sovereignty of the Republic of Azerbaijan, in accordance with the principles of the CSCE. The EU was particularly concerned at the fate of tens of thousands of civilians who had been fleeing the fighting and pledged to continue its humanitarian aid to the affected population.[18]

The **Chairman of the CSCE Minsk Conference** in his **letter** addressed on behalf of the nine Minsk Group countries (**Germany, United States of America, Belarus, France, Italy, Russian Federation, Sweden, Czech Republic and Turkey**) to the President of the United

[15] S/26650.
[16] S/26665.
[17] S/26662.
[18] S/26728

Nations Security Council condemned the seizure of the territories of Azerbaijan by force and defined that such actions constitute unacceptable violations of the CSCE principle of non-use of force and undercut their efforts to find a peaceful solution to this conflict. They also condemned the looting, burning and destruction of villages and towns, which cannot be justified under any standards of civilized behavior. The nine countries declared that no acquisition of territory by force can be recognized, and occupation of territory cannot be used to obtain international recognition or to impose a change of legal status and requested the unilateral withdrawal from the occupied territories of Azerbaijan.[19]

Complete occupation of the **Zangilan region** of Azerbaijan and the **city of Horadiz** and the expulsion of all Azerbaijani population considerably worsened the humanitarian situation in Azerbaijan and impelled the **United Nations Security Council** to respond again. The Council in its **resolution 884 (1993)** reaffirmed the sovereignty and territorial integrity of Azerbaijan and condemned the occupation of the Zangilan region and the city of Horadiz, and the attacks on civilians and bombardments of territory of the Republic of Azerbaijan. The Council demanded the unilateral withdrawal of occupying forces from the occupied Zangilan region and the city of Horadiz and from other recently occupied territories of Azerbaijan and requested the Secretary-General and relevant international agencies to provide urgent humanitarian assistance and to assist refugees and displaced persons to return to their homes in security and dignity.

"Noting with alarm that the humanitarian situation in Azerbaijan has continued to deteriorate seriously..., and that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million", the **United Nations General Assembly** in its **resolution 48/114** entitled "**Emergency international assistance to refugees and displaced persons in Azerbaijan**" "urgently appeale[d] to all States, organizations and programmes of the United Nations, specialized agencies and other intergovernmental and non-governmental organizations to provide adequate and sufficient financial, medical and material assistance to the Azerbaijani refugees and displaced persons".

The **Statement** of the President of the **United Nations Security Council** of 26 April 1995 basically reaffirmed the essence of the Council's previous resolutions on the matter.[20]

The OSCE Chairman-in-Office in his **Statement** at the OSCE Lisbon Summit of 1996 outlined the three principles which should form part of the settlement of the Nagorny Karabakh conflict, which were recommended by the Co-Chairmen of the Minsk Group. These principles were supported by all OSCE participating States, except for Armenia. They are:

- territorial integrity of the Republic of Armenia and the Republic of Azerbaijan;
- legal status of Nagorny Karabakh defined in an agreement based on self-determination which confers on Nagorny Karabakh the highest degree of self-rule within Azerbaijan;
- guaranteed security for Nagorny Karabakh and its whole population, including mutual obligations to ensure compliance by all the Parties with the provisions of the settlement.

[19] S/26718
[20] S/PRST/1995/21

On 29 October 2004, the **United Nations General Assembly** decided to include the item entitled **"The situation in the occupied territories of Azerbaijan"** to the agenda of its 59th session. The Assembly's consideration of this agenda item played a crucial role in attracting attention to the issue of the illegal transfer of settlers into the occupied territories of Azerbaijan, as well as in initiating urgent measures for putting this dangerous practice to an end.

On 7 September 2006, the **United Nations General Assembly** adopted without a vote **resolution 60/285** entitled **"The situation in the occupied territories of Azerbaijan"** in regard to the incidents of massive fires taken place in the occupied territories. The resolution stressed the necessity of the urgent conduct of the environmental operation, called for assessment of the short-term and long-term impact of the fires on the environment of the region and its rehabilitation. For these purposes, the resolution emphasized the readiness of the parties to cooperate and called upon the organizations and programs of the United Nations system, in particular the United Nations Environment Program to cooperate with the OSCE.

The European Union in the **Action Plan of the European Neighbourhood Policy** set ambitious objectives based on mutual commitments of the EU and its Member States and Azerbaijan to common values, including the respect of and support for the sovereignty, territorial integrity and inviolability of internationally recognized borders of each other and compliance to international and European norms and principles as well as support for effective implementation of political, economic and institutional reforms.

In the **NATO Riga (2006) and Bucharest (2008) Summits' Declarations** the NATO Member States underlined their "... support to the territorial integrity, independence, and sovereignty of Armenia, Azerbaijan, Georgia and Republic of Moldova..".

The Embassy of **Japan** in Azerbaijan in response to the so-called "presidential elections" held in the Nagorny Karabakh region in 2007 by the illegal separatist regime established in the occupied territories of Azerbaijan stressed that "it is important to settle the conflict in a peaceful way basing on a principle of the territorial integrity of the Republic of Azerbaijan within the internationally recognized borders".

The **European Union** in response to the so-called "presidential elections" held in the Nagorny Karabakh region of Azerbaijan in 2007 issued the **Statement** in which it "underlined that EU does not recognize the independence of Nagorno-Karabakh. Neither does it recognize the legitimacy of these 'presidential elections', which should not have any impact on the peaceful settlement of the Nagorno-Karabakh conflict. Furthermore, the EU recalls that refugees and internally-displaced persons should be given the right to a safe, secure and dignified return of their homes in order to fully participate in electoral acts".

Mr. Liu Jianchao, Foreign Ministry Spokesman of **China**, in response to the so-called "presidential elections" held in the Nagorno-Karabakh region of Azerbaijan in 2007 emphasized that "the Chinese Government respects the independence, sovereignty and territorial integrity of the Republic of Azerbaijan, supports the UN Security Council's resolutions on Nagorno-Karabakh Region".

H.E. Mr. Bernard Kouchner, Minister of Foreign and European Affairs of **France**, in his letter of April 2008 addressed to his Azerbaijani counterpart stressed that "France has always supported, supports and will support the territorial integrity of Azerbaijan... As a consequence of this support to the territorial integrity of Azerbaijan, France has never, in the past, considered Nagorno-Karabakh as an independent state. This position remains unchanged. Moreover, France does not recognize the independence of Nagorno-Karabakh, notwithstanding with the results of the solutions of other conflicts elsewhere".

On 14 March 2008, the **United Nations General Assembly** adopted at its 62nd session **resolution 62/243 entitled "The situation in the occupied territories of Azerbaijan"**. Seriously concerned that the armed conflict in and around the Nagorny Karabakh region of the Republic of Azerbaijan continued to endanger international peace and security, the General Assembly reaffirmed its continued strong support for the sovereignty and territorial integrity of the Republic of Azerbaijan within its internationally recognized borders, demanding the immediate, complete and unconditional withdrawal of all Armenian forces from all occupied territories of the Republic of Azerbaijan. At the same time, the Assembly reaffirmed the inalienable right of the population expelled from the occupied territories to return to their homes. It has been also recognized the necessity of providing normal, secure, and equal conditions of life for Armenian and Azerbaijani communities in the Nagorny Karabakh region of the Republic of Azerbaijan, which would allow to build up an effective democratic system of self-governance in this region within the Republic of Azerbaijan. The General Assembly also reaffirmed that no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining this situation.

At the meeting of the **Presidents of Armenia, Azerbaijan and the Russian Federation** in Moscow on 2 November 2008, they signed the **Declaration** stating that "the settlement of the conflict should be based on the norms and principles of international law and the decisions and documents adopted in this framework", which indisputably implies the United Nations General Assembly and Security Council resolutions on the conflict.

United Nations A/63/731

General Assembly

Distr.: General
20 February 2009

Original: English

Sixty-third session
Agenda item 124
Joint Inspection Unit

Report of the Joint Inspection Unit for 2008

Note by the Secretary-General

1. The present note has been prepared pursuant to paragraph 8 of General Assembly resolution 62/246 of 3 April 2008, in which the Assembly requested the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to expedite the implementation of that resolution, including through the expected provision of support to the Joint Inspection Unit by the secretariats of the participating organizations for the preparation of its reports, notes and confidential letters, and the consideration of and action on the Unit's recommendations in the light of pertinent resolutions of the Assembly, and to report to the Assembly on an annual basis on the results achieved.

2. In paragraph 4 of its resolution 59/267 of 23 December 2004, the General Assembly decided to discontinue the requirement for the report of the Secretary-General on the implementation of the recommendations of the Joint Inspection Unit. The present note therefore outlines some of the recent steps taken to support the Unit, including through those measures identified in Assembly resolution 62/246.

3. In accordance with the statute of the Joint Inspection Unit, when reports of the Unit concern more than one organization, the respective executive heads shall, normally within the framework of the United Nations System Chief Executives Board for Coordination, consult with one another and, to the extent possible, coordinate their comments. Accordingly, system-wide reports of the Unit are circulated for comment upon receipt by the secretariat of the Chief Executives Board. As a matter of practice, all participating organizations are requested to respond with their comments within the deadline provided in order that reports may be produced in a timely fashion.

4. With respect to the provision of expected support to the Joint Inspection Unit by the secretariats of participating organizations, additional efforts have been taken, within the inter-agency bodies of the Chief Executives Board, to enhance the dialogue between the secretariats of the Unit and the Board. In particular, the High-level Committee on Management, at its sixteenth session held in New York on 18 and 19 September 2008, considered ways to enhance collaboration with the Unit

09-24563 (E) 230209

including, inter alia, by encouraging its members to review communication procedures within their respective organizations so as to ensure a good information flow between High-level Committee on Management/network representatives and Unit focal points and coordinated action on the Unit's recommendations and programme of work (see CEB/2008/5, para. 57). One example of increased collaboration was the preparation of a JIU report on information and communication technology hosting services in the United Nations system organizations (JIU/REP/2008/5), which was prepared in close coordination and consultation with the Information, Communication and Technology Network of the High-level Committee on Management.

5. Furthermore, the United Nations System Chief Executives Board for Coordination, at the request of the Joint Inspection Unit, implemented an extensive consultation process for providing inputs (and suggestions) in respect of the Unit's programme of work for 2009. In respect of requests for comments and other inputs into the preparation of Unit reports, a closer informal working relationship between the two secretariats has resulted in both an increased responses rate and more involvement by organizations in the preparation of reports.

6. As regards organizations' consideration of and action on the Joint Inspection Unit's recommendations in the light of pertinent resolutions of the General Assembly, section E of the report of the Joint Inspection Unit for 2008[1] contains detailed information about the actions taken by organizations of the Chief Executives Board in follow-up to recommendations of the Unit.

7. The Secretary-General will continue to pursue a closer working relationship with the Joint Inspection Unit and to encourage all organizations to respond quickly and in a spirit of cooperation to requests of the Unit.

[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 34* (A/63/34).

United Nations A/63/732–E/2009/8

General Assembly
Economic and Social Council

Distr.: General
23 February 2009
English
Original: Spanish

General Assembly
Sixty-third session
Agenda item 44
Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Economic and Social Council
Substantive session of 2009
Economic and environmental questions: Sustainable development

Letter dated 18 February 2009 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

The High-Level Meeting on Food Security for All was held in Madrid on 26 and 27 January 2009, convened on behalf of the Organization by the Prime Minister of Spain and yourself. More than 126 countries participated in the High-Level Meeting, 62 of which were represented at the ministerial level, in addition to many international organizations, donor agencies and a considerable number of non-governmental organizations from civil society and the private sector.

The High-Level Meeting was held in order to address the effects of the volatility of food prices on the most vulnerable populations and, thereby, to accelerate progress towards the achievement of Goal 1 of the Millennium Development Goals. To that end, the High-Level Meeting took the conclusions of the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy (held in Rome, from 3 to 5 June 2008) as its starting point, along with the recommendations in the Comprehensive Framework for Action, drawn up by the United Nations High-Level Task Force on the Global Food Security Crisis.

Following the working sessions, the Chair of the High-Level Meeting drew up the "Madrid Declaration", which was presented during the closing session. The "Madrid Declaration" presents a summary of the work done during the High-Level Meeting, which includes agreeing on short-, medium- and long-term food security measures and beginning a broad, inclusive consultation process on ways to create a global partnership for agriculture, food security and nutrition.

I am pleased to include with this letter the text of the "Madrid Declaration" (see annex). I should be grateful if the present letter and its annex could be distributed as a document of the General Assembly under item 44 of the agenda for its sixty-third session and as a document of the Economic and Social Council, in particular relation to the work of the Commission on Sustainable Development.

(*Signed*) Juan Antonio **Yáñez-Barnuevo**

09-24699 (E) 250209 260209

Annex to the letter dated 18 February from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

Madrid Declaration

High-Level Meeting on Food Security for All

The High-Level Meeting on Food Security for All, held in Madrid, convened by the Government of Spain and the United Nations, brought together a wide range of committed stakeholders from more than 126 countries. Participants included representatives of Governments, civil society, trade unions, the private sector, universities, donor agencies and multilateral organizations. Its aim was to accelerate progress towards the achievement of Goal 1 of the Millennium Development Goals and to address the effects of the fluctuation in the price of food on the most vulnerable populations. They worked together to review the progress made since the High-Level Conference in Rome (June 2008), to agree on ways to move forward quickly, with short-, medium- and long-term measures, and to establish mechanisms to enable better coordination.

1. Participants reaffirmed the conclusions of the 1996 World Food Summit and the objectives confirmed by the World Food Summit: five years later, to achieve food security for all through an ongoing effort to eradicate hunger in all countries, with an interim goal of halving the number of people suffering from hunger by no later than 2015, as well as their commitment to achieving the Millennium Development Goals. Participants also reaffirmed the Declaration of the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, held in Rome in June 2008.

2. They reaffirmed that States had a primary responsibility to make their best efforts to respect, ensure, fulfil and promote the right to have regular and permanent access to adequate food, especially for children under the age of 5, women and other vulnerable groups. In aiming to achieve the right to food, States were encouraged to seek inspiration from the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in 2004.

3. Participants were deeply concerned by the unacceptable global food insecurity situation that affected over 960 million people. They were also concerned by the negative impact of the fluctuations in food access and availability, exacerbated by the current financial crisis, on the livelihoods of the poorest, most vulnerable people in the world. They were convinced of the urgent need to strive even harder to achieve their international commitments substantially to increase financial resources and official development assistance, particularly in relation to nutrition, food, agriculture and programmes to combat hunger.

4. They recognized the progress achieved in fulfilling commitments agreed by national governments and the international community at the Rome Conference, but also recognised that more still needed to be done. They strongly supported the efforts of the Secretary-General

of the United Nations and the High-Level Task Force on the Global Food Security Crisis to promote a coordinated and adequately funded response.

5. Participants were convinced of the need to undertake short-, medium- and long-term measures, in line with the Comprehensive Framework for Action, to mobilize the adequate resources that had already been committed in a flexible and predictable manner, and to identify financing gaps and mobilize the additional resources needed for the existing mechanisms for responding to severe food and nutrition crises, including food and nutrition assistance, for social protection programmes, and for supporting smallholders. They also indicated the need for agreements to coordinate the utilization of those resources.

6. Participants were convinced that those actions would only be effective and efficient if they were led by the governments of the affected countries, their parliaments, local governments and citizens, following the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action, focusing on the needs of the people suffering from hunger, malnutrition and food insecurity.

7. Participants stressed the importance of engaging civil society and the private sector in the implementation of coordinated actions for alleviating food insecurity among the most vulnerable populations, at community, local, regional, national and global levels.

8. They emphasized that all aspects of food security must be addressed, not only by increasing production, but also by developing social protection systems and eliminating all forms of competition-distorting subsidies, in order to develop a fair system of agricultural trade.

9. Participants stressed that the economic and social development of rural areas must become a primary policy objective, since food and agriculture fulfil a key function that must be consolidated and enhanced. Thus, enhancing sustainable rural development was essential — in particular the agricultural value chain, associated services, and the policy environment in which it operated.

10. They supported the importance of including the marginalized and the excluded, men, women and children in the process, giving them a voice so that their views were prioritized when analyzing the problems, searching for viable solutions and implementing them.

11. They agreed on the importance of establishing a broad, inclusive consultation process on ways to create a global partnership for agriculture, food security and nutrition, beginning at the High-Level Meeting in Madrid. They emphasized that the following elements were important in a consultation process, which should be convened and facilitated by members of the United Nations High-Level Task Force:

(a) The consultation process should be open to the full range of stakeholders involved in agriculture, food security and nutrition (including farmers' organizations, civil society organizations, women's organizations, the private sector, governments in developing countries, and international and regional organizations).

(b) A representative contact group, accountable to all interested partners, should be established to oversee and guide the consultation process.

(c) The consultation process should have a sound methodology that is based on best practice, involves participation at all levels and includes regular feedback to all stakeholders.

(d) The contact group should identify and highlight positive examples of existing partnerships.

12. Participants were determined to ensure access to adequate food for all in a sustainable manner, to improve nutrition, to stimulate food production, to strengthen social protection systems, and to increase investment in all areas related to food security.

Participants committed to making food security for all a reality.

Madrid, January 27th 2009

This Declaration reflects the summary of the debates by the Chair of the High-Level Meeting

The High-Level Meeting on Food Security for All was attended by 62 Ministers and delegations from more than 126 countries

United Nations A/63/733

General Assembly

Distr.: General
23 February 2009

Original: English

Sixty-third session
Agenda items 13 and 18

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 20 February 2009 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I would like to present to your attention the texts of the statements by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe made on 29 January 2009 and 19 February 2009, respectively, concerning the ongoing negotiations on the Nagorno-Karabakh conflict (see annexes).

I would highly appreciate if you could circulate the texts of the statements as a document of the General Assembly, under agenda items 13 and 18.

(*Signed*) Armen **Martirosyan**
Ambassador
Permanent Representative

09-24711 (E) 250209

Annex I to the letter dated 20 February 2009 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Statement by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe

Zurich, 29 January 2009. The Co-Chairmen of the OSCE Minsk Group released the following statement today:

The Co-Chairs of the OSCE Minsk Group (Ambassador Bernard Fassier, France; Ambassador Yuri Merzlyakov, Russian Federation; Deputy Assistant Secretary of State Matthew Bryza, United States) travelled to Baku on 19 January 2009, where they met with President Ilham Aliyev and Foreign Minister Elmar Mammadyarov, and to Yerevan on 20 January 2009, where they met with President Serzh Sarkisyan and Foreign Minister Edward Nalbandian.

The Co-Chairs met again jointly with Foreign Ministers Mammadyarov and Nalbandian in Zurich on 27 January 2009, and organized a joint meeting with Presidents Aliyev and Sarkisyan in Zurich on 28 January 2009, on the margins of the World Economic Forum.

The Co-Chairs explored with the two Presidents their thoughts on how to finalize the Basic Principles on the peaceful settlement of the Nagorno-Karabakh conflict, proceeding from the proposal presented to the sides at the OSCE Ministerial Conference in Madrid in November 2007.

The Co-Chairs agreed to work with the Foreign Ministers on elaborating proposals for the consideration of the two Presidents on the most important remaining differences between the sides existing within the framework of the Basic Principles. The Co-Chairs hope the parties will be able to bridge these remaining differences in the nearest future to secure a peace agreement that is far better for all parties than the status quo. Their goal is a just and balanced agreement based on the Helsinki Final Act principles of territorial integrity, self-determination, and non-use of force.

Annex II to the letter dated 20 February 2009 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Statement of the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe

Paris/Moscow/Washington, 19 February 2009. The Co-Chairs of the OSCE Minsk Group, Ambassadors Bernard Fassier of France, Yury Merzlyakov of Russia, and Matthew Bryza of the United States, released the following statement today:

The Co-Chairs of the OSCE Minsk Group stress that, despite two reports circulated at the request of the Permanent Representative of Azerbaijan to the United Nations on 24 and 29 December 2008, there is no military solution to the Nagorno-Karabakh conflict. The Co-Chairs further underscore the non-use of force as a core element of any just and lasting settlement of the conflict.

Presidents Ilham Aliyev and Serge Sargsyan described their most recent meeting, in Zurich on 28 January 2009, as useful and constructive, despite two Azerbaijani reports circulated in the United Nations General Assembly one month earlier. At the conclusion of their Zurich meeting, the Presidents reiterated their commitment to the Minsk Group peace process, and asked the Co-Chairs to intensify their efforts to help the parties bridge their remaining differences with regard to the Basic Principles.

In subsequent public statements, both Presidents underscored their enduring commitment to the Minsk Group's mediation effort. Therefore, the Minsk Group's Co-Chairs will visit the region before the end of February to help the parties to accelerate their efforts to finalize the Basic Principles.

The Minsk Group Co-Chairs will not allow the peace process to be subverted by legalistic or historical discussions, though they will remain sensitive to historical concerns expressed by the parties to the conflict, all of which must be addressed in due course. The Co-Chairs further believe the above-mentioned reports should have no bearing on negotiations within the Minsk Group in pursuit of a peaceful and political settlement of the Nagorno-Karabakh conflict, to which both Presidents committed themselves in their Moscow Declaration of 2 November 2008.